

## Sarah Porter

---

**From:** Petitpas, Christian (FWE) [christian.petitpas@state.ma.us]  
**Sent:** Monday, March 02, 2015 9:29 AM  
**To:** Johnson, Holly S (ENV)  
**Cc:** 'snilson@cleengineering.com'; Sarah Porter; Churchill, Neil (MISC); Shields, Thomas (MISC); Reiner.ed@epamail.epa.gov; Boeri, Robert (ENV); Chin, Ken (DEP); alison.verkade@noaa.gov; Chris Boelke; Lehan, portman (FWE); Ford, Kathryn (FWE)  
**Subject:** EEA# 15326, VVK Realty, LLC, New Bedford

Secretary Matthew A. Beaton  
Executive Office of Energy and Environmental Affairs (EEA)  
Attn: MEPA Office  
Holly Johnson, EEA No. 15326  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Dear Secretary Beaton:

The Division of Marine Fisheries (*MarineFisheries*) has reviewed the Environmental Notification Form by VVK Realty, LLC for proposed rehabilitation of an existing timber pier, addition of floating dock and gangway systems on the north and south of the existing pier, installation of moorings, and relocation of the seasonal tiki bar from adjacent property to the site at 1494 East Rodney French Boulevard, Buzzards Bay in the City of New Bedford. The project was reviewed with respect to potential impacts to marine fisheries resources and habitat.

The project site lies within mapped shellfish habitat for quahog (*Mercenaria mercenaria*) and bay scallop (*Argopecten irradians*) which is afforded protection under the Wetlands Protection Act (310 CMR 10.34). Mapped land containing shellfish is deemed significant to the interest of the Wetland Protection Act and the protection of marine fisheries. Additionally, the project site is in close proximity to a *MarineFisheries* sampling station that consistently contains quahogs and is Conditionally Approved for shellfish harvest.

Based on the information provided, *MarineFisheries* has no recommendations for sequencing, timing, or methods that would avoid or minimize impact at this time.

Questions regarding this review may be directed to John Logan in our New Bedford office at 508-990-2860 ext. 141.

Sent on behalf of John Logan